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LEGISLATIVE HISTORY

Public Law 87-801 H. R. 13241

Sept. 28, 1960 Sen. Cooper introduced S. 13241 which was referred to the Senate Agriculture Committee. Title of bill as introduced.

Sept. 29, 1960 Sen. Ellender introduced S. 13242 which was referred to the Senate Agriculture and Forestry Committee. Title of bill as introduced.

Oct. 1, 1960 Senate Committee reported S. 13241 without amendment. S. Report No. 2986. Title of bill and report.

Senate Committee reported S. 13241 without amendment. S. Report No. 3077. Title of bill and report.

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Oct. 7, 1960 Senate passed S. 13241 without amendment.

Nov. 11, 1960 Approved: Public Law 87-801.

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LEGISLATIVE HISTORY

H. R. 13211
Public Law 87-801

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INDEX AND SUMMARY OF H. R. 13241

- Sept. 26, 1962 Rep. Cooley introduced H.R. 13241 which was referred to the House Agriculture Committee. Print of bill as introduced.
- Sept. 27, 1962 Sen. Ellender introduced S. 3756 which was referred to the Senate Agriculture and Forestry Committee. Print of bill as introduced.
- Oct. 1, 1962 Senate committee reported S. 3756 without amendment. S. Report No. 2224. Print of bill and report.
- House committee reported H. R. 13241 without amendment. H. Report No. 2497. Print of bill and report.
- House passed H. R. 13241 under suspension of the rules.
- Oct. 2, 1962 Senate passed H. R. 13241 without amendment.
- Oct. 11, 1962 Approved: Public Law 87-801.

INDEX AND SUMMARY OF H. R. 13211

Oct. 11, 1962	Approved: Public Law 87-801.
Oct. 2, 1962	Senate passed H. R. 13211 without amendment.
	House passed H. R. 13211 under suspension of the rules.
	House committee reported H. R. 13211 without amendment. H. Report No. 2497. Print of bill and report.
Oct. 1, 1962	Senate committee reported S. 3756 without amendment. S. Report No. 2224. Print of bill and report.
Sept. 27, 1962	Sen. Ellender introduced S. 3756 which was referred to the Senate Agriculture and Forestry Committee. Print of bill as introduced.
Sept. 26, 1962	Rep. Cooley introduced H. R. 13211 which was referred to the House Agriculture Committee. Print of bill as introduced.

DIGEST OF PUBLIC LAW 87-801

EXEMPTION OF SMALL WHEAT ACREAGE FROM MARKETING QUOTAS.
Amends the Food and Agriculture Act of 1962 so as to provide that a farm marketing quota on the 1963 crop of wheat shall not be applicable to any farm on which the acreage of wheat does not exceed the smaller of (1) 15 acres, or (2) the highest number of acres actually planted to wheat on the farm for harvest in any of the calendar years 1959, 1960, 1961, or 1963 (under previous law the exemption would apply to the smaller of (1) 15 acres, or (2) the highest acreage planted in 1959, 1960 or 1961).

87TH CONGRESS
2^D SESSION

H. R. 13241

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 1962

MR. COOLEY introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend section 309 of the Food and Agriculture Act of 1962.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That item (7) of Public Law 74, Seventy-seventh Congress
4 (7 U.S.C. 1340 (7)), as amended by section 309 of the
5 Food and Agriculture Act of 1962, is amended by changing
6 the period at the end thereof to a comma and adding “or
7 1963.”

87TH CONGRESS
2^D Session

H. R. 13241

A BILL

To amend section 309 of the Food and Agriculture Act of 1962.

By Mr. COOLEY

SEPTEMBER 26, 1962

Referred to the Committee on Agriculture

S. 3756

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 1962

Mr. ELLENDER introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend section 309 of the Food and Agriculture Act of 1962.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That item (7) of Public Law 74, Seventy-seventh Congress
4 (7 U.S.C. 1340 (7)), as amended by section 309 of the
5 Food and Agriculture Act of 1962, is amended by changing
6 the period at the end thereof to a comma and adding “or
7 1963.”

I

87TH CONGRESS
2^D Session

S. 3756

A BILL

To amend section 309 of the Food and Agriculture Act of 1962.

By Mr. ELLENDER

SEPTEMBER 27, 1962

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued Oct. 2, 1962
For actions of Oct. 1, 1962
87th-2d, No. 178

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HIGHLIGHTS: For highlights see page No. 8.

SENATE

1. AGRICULTURE AND FORESTRY COMMITTEE reported the following bills: p. 20245
- S. 3756, without amendment, to amend Sec. 309 of the Food and Agriculture Act of 1962 so as to provide that a farm marketing quota on the 1963 wheat crop shall be applicable to any farm on which acreage of wheat exceeds the smaller of 15 acres or the highest number of acres planted to wheat on the farm in calendar years 1959, 1960, 1961, or 1963 (instead of 1959, 1960, or 1961)(S. Rept. 2224).
- H. R. 12653, without amendment, to amend the Consolidated Farmers Home Administration Act of 1961 in order to increase from \$150 million to \$200 million annually the amount of loans which may be insured under the Act (S. Rept. 2220).
- H. R. 10708, with amendment, to amend the Rural Electrification Act with respect to financing communication facilities for transmission of sounds, signals, pictures, writing, and signs, as well as voice (S. Rept. 2221).

H. R. 12855, without amendment, to amend provisions of the Agricultural Adjustment Act of 1938 providing for the lease and transfer of tobacco acreage allotment so as to exclude cigar-filler and cigar-binder tobacco, types 42,43,44,53,54, and 55 from the lease and transfer authority (S. Rept. 2222).

H. R. 946, without amendment, to extend to oyster planters the benefits of the provisions of present law which provide for production disaster loans for farmers and stockmen (S. Rept. 2219).

S. 3370, with amendment, to authorize the Secretary of Agriculture to relinquish to Wyo. jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District (S. Rept. 2223).

2. APPROPRIATIONS; BUDGET. Received from the President supplemental appropriations for fiscal year 1963 for this Department (S. Doc. 152) (p. 20245). Attached to this Digest is a summary of the items pertaining to this Department.
3. PUBLIC WORKS APPROPRIATION BILL, 1963. Passed with amendments this bill, H.R. 12900. Conferees were appointed. pp. 20239-45
4. FARM PROGRAM. Sen. Humphrey criticized charges of the Republican National Committee against the Food and Agriculture Act of 1962 as "a deliberate and reckless attempt to turn farmers against consumers and city dwellers against rural America," and defended the Act against these charges. Sen. Kuchel defended the charges and contended that the farm bill had merited defeat. pp. 20335-6
Sen. Kuchel inserted an editorial critical of the farm program and relating experiences of Sen. Anderson in conducting farm operations under the program. p. 20336
5. WORLD FOOD CONGRESS. The "Daily Digest" states that the Foreign Relations Committee approved with amendment S. 3679, to authorize funds to enable the U. S. to extend an invitation to the Food and Agricultural Organization of the U. N. to hold a World Food Congress in the U. S. in 1963. p. D917
6. WATERSHEDS. The Agriculture and Forestry Committee approved the following watershed projects: Crooked Bayou, Ark.; West Fork Pond River, Ky., and Hardin Creek and Mill Creek, Tenn. p. D916
7. PUBLIC WORKS. The Public Works Committee reported without amendment (an original bill) S. 3773, the public works authorization bill (S. Rept. 2258), p. 20246.
8. FOREIGN AID APPROPRIATION BILL, 1963. Began debate on this bill, H. R. 13175 (pp. 20248, 20260-2, 20270-92, 20298-329). By a vote of 34 to 40, rejected an amendment by Sen. Ellender to reduce by \$200 million the amounts for development loans and economic assistance (pp. 20314-9).
9. STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 1963. The Appropriations Committee reported with amendments this bill, H. R. 12580 (S. Rept. 2226). p. 20245
10. STATISTICS. The Post Office and Civil Service Committee reported without amendment H. R. 7791, to provide for the collection and publication of foreign commerce and trade statistics (S. Rept. 2217). p. 20245

Oct. 1, 1962

11. CENSUS REPORTS. The Post Office and Civil Service Committee reported with amendment S. 3631, to preserve the confidential nature of copies of reports filed with the Bureau of the Census on a confidential basis (S. Rept. 2218). p. 20245
12. BUDGETING. Passed without amendment H. R. 10613, to repeal subsection (d) of Sec. 16 of the Administrative Expenses Act of 1946 which requires detailed budget estimates for appropriations to be used for purchase or hire of passenger motor vehicles or for purchase, maintenance, or operation of aircraft. This bill will now be sent to the President. p. 20249
13. LATIN AMERICA. Sen. Morse inserted an address by the president of the Inter-American Development Bank, "Latin America: Economic Integration and Political Reintegration," pp. 20330-3

HOUSE

14. WHEAT. By a vote of 255 to 60, passed under suspension of the rules H.R. 13241, to amend Sec. 309 of the Food and Agriculture Act of 1962 to provide that a farm marketing quota on the 1963 crop shall be applicable to any farm on which acreage of wheat exceeds the smaller of 15 acres or highest number of acres planted to wheat on the farm in calendar years 1959, 1960, 1961 or 1963 (instead of 1959, 1960, or 1961) (pp. 20403-10). The Agriculture Committee earlier reported this bill without amendment (H. Rept. 2497) (p. 20443).

The Agriculture Committee reported with amendment H. R. 13188, to amend the 1963 wheat provisions of the Food and Agriculture Act of 1962 to permit the Secretary of Agriculture to make adjustments in yields of wheat to reflect any increases in yields as the result of the adoption of the improvement of an irrigation system. (The adjusted yields can be used in determining diversion payments of the first 20% reduction in wheat acreage and in determining the normal production of the 1963 acreage for purposes of price support payments.) (H. Rept. 2505). p. 20443

15. FARM PROGRAM. Rep. Cooley inserted a descriptive summary of the Food and Agriculture Act of 1962. pp. 20410-2
Rep. Hoeven criticized the farm legislation enacted during the 87th Congress and said, "The only thing that this administration offers is controls and more controls." pp. 20439-41
16. ANIMAL DISEASE. Passed without amendment S. 3120, to grant the Secretary of Agriculture additional authority to permit the interstate movement of certain diseased livestock and poultry. This bill will now be sent to the President. p. 20352
17. RICE. Passed without amendment S. 3152, to provide for the nutritional enrichment and sanitary packaging of rice prior to its distribution under certain Federal programs, including the national school lunch program. This bill will now be sent to the President. p. 20352
18. LANDS. Passed without amendment H. R. 11111, to amend the Act of October 4, 1961, authorizing the Secretary of Agriculture to sell and convey certain forest lands in Iowa so as to provide that such sale shall be subject to the condition that the property be used for public purposes. p. 20352
19. CROP INSURANCE. At the request of Rep. Abernethy, passed over without prejudice S. 2859, to amend the Federal Crop Insurance Act, as amended, in order to

increase from 100 to 150 the number of new counties in which crop insurance may be offered each year. p. 20352

20. SCHOOL LUNCH. House and Senate conferees were appointed on H. R. 11665, to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act. pp. 20349, 20299
Passed without amendment S. J. Re. 211, providing for the establishment of an annual National School Lunch Week. This bill will now be sent to the President. p. 20350
21. APPROPRIATIONS. The Appropriations Committee reported H. R. 13290, making supplemental appropriations for 1963 (H. Rept. 2507)(p. 20443). Permission was granted to bring this bill up any time on Wednesday or thereafter. p. 20345
Conferees were appointed on H. R. 12276, the District of Columbia appropriation bill for 1963. Senate conferees have already been appointed. p. 20345
22. MINERALS. Concurred in the Senate amendment to H. R. 11049, to provide for the relief of certain oil and gas lessees under the Mineral Leasing Act. This bill will now be sent to the President. p. 20349
23. CENSUS. Passed without amendment H. R. 11950, to provide for taking of the economic census one year earlier starting in 1968. p. 20351
The Rules Committee reported a rule for the consideration of H. R. 10569, to amend title 13, U.S.C., to preserve the confidential nature of copies of information filed with the Bureau of the Census on a confidential basis. pp. 20396, 20443
24. PERSONNEL. Passed without amendment S. Con. Res. 53, favoring travel by legislative and Government employees on U. S. air flag carriers. p. 20351
By a vote of 309 to 19, passed ^{under}suspension of the rules H. R. 5698, to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment. pp. 20376-96
25. QUARANTINE. Passed without amendment H. R. 683, to authorize the Donna-Rio Bravo Bridge Company to construct, maintain, and operate a toll bridge across the Rio Grande near Donna, Texas. p. 20351
26. MIGRATORY BIRDS. Passed with amendment S. 3504, to authorize the appropriation of \$7500 for expenses of the Migratory Bird Conservation Commission. p. 20353
27. PAY BILL. By a vote of 327 to 22, passed under suspension of the rules a resolution sending H. R. 7927, the postal increase and pay bill, to conference, House and Senate conferees were appointed. pp. 20365-72, 20292
28. FISHERIES. Passed without amendment S. 3431, to consent to the amendment of the Pacific Marine Fisheries Compact and to participation of certain additional States in such compact. This bill will now be sent to the President. pp. 20353-4
Agreed to the conference report on S. 901, the proposed Oceanographic Act of 1962. pp. 20412-3
The Merchant Marine and Fisheries Committee reported with amendment H.R. 9547, to amend the Fish and Wildlife Act of 1956 with regard to the import for sale within the U. S. of salmon taken on the high seas of the North Pacific Ocean (H. Rept. 2498). p. 20443

1963 SMALL FARM WHEAT EXEMPTION

OCTOBER 1, 1962.—Ordered to be printed

MR. JOHNSTON, from the Committee on Agriculture and Forestry,
submitted the following

R E P O R T

[To accompany S. 3756]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 3756), to amend section 309 of the Food and Agriculture Act of 1962, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill would require that the small farm 15-acre exemption under which farmers have already planted continue effective for the 1963 crop. A complete and detailed analysis of the bill is given in the Department of Agriculture's report which follows.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, October 1, 1962.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to the request of your office for a report on S. 3756, a bill to amend section 309 of the Food and Agriculture Act of 1962.

This Department recommends the enactment of this bill.

S. 3756 would amend section 309 of the Food and Agriculture Act of 1962 to provide that a farm marketing quota on the 1963 crop of wheat shall not be applicable to any farm on which the acreage of wheat exceeds the smaller of (1) 15 acres, or (2) the highest number of acres actually planted to wheat on the farm for harvest in any of the calendar years 1959, 1960, 1961, or 1963. Under the present provisions of section 309, the exemption would apply to the smaller of (i) 15 acres, or (ii) the highest acreage planted in 1959, 1960, or 1961.

Prior to the enactment of the Food and Agriculture Act of 1962, it was necessary because of time limitations to proceed with a wheat

referendum for the 1963 crop based on existing law. Among other things, the then existing law provided for a 15-acre wheat exemption for marketing quota purposes. Farmers were so informed and notified prior to their favorable vote in the recent wheat referendum. The provisions of law with respect to eligibility to vote in the recent referendum provided that any person subject to marketing quotas on wheat would be eligible to vote. Therefore, many producers who at the time were unable to vote are now in a marketing quota penalty position because they have planted more wheat on their farm for harvest in 1963 than the highest acreage planted for harvest in 1959, 1960, or 1961. In the area where the largest number of these farms is located, the planting season for wheat is from approximately September 10 to October 30.

In the winter wheat States, wheat has already been planted on a large percentage of the small wheat farms in reliance on the notice previously given. In these cases it would be necessary under section 309 of the act for the farm operator to dispose of the excess acreage on the farm or be subject to a marketing quota penalty.

There are about 1,200,000 wheat farms which will be affected by the change in the wheat exemption required by section 309. Of these 1,200,000 small wheat farms, it is estimated that from 200,000 to 300,000 farms would have an acreage seeded to wheat for harvest in 1963 in excess of the permitted acreage. Unless the provisions of section 309 are changed, it will be necessary to determine for each of these farms the highest acreage planted to wheat on the farm for harvest in 1959, 1960, or 1961 and renotify the farmers involved and give them an opportunity to appeal. This will be expensive, time consuming, delay in getting the 1963 wheat stabilization program underway, and cause great confusion and dissatisfaction on the part of farmers.

We believe that under the present provisions of law producers would feel that they had been misinformed with respect to the acreage of wheat which they could grow and would resist the enforcement of the existing provisions of section 309 of the act. We are quite sure that a large number of producers would resort to legal action before complying with this provision of the law.

For 1964 and subsequent years, the Food and Agriculture Act of 1962 provides that the 3-year average acreage of wheat on these small farms will be used both for marketing quota purposes and for purposes of the wheat stabilization program.

In view of the difficulties we would experience in administering the 1963 wheat program with the provisions of section 309 unchanged, we strongly urge the enactment of this bill.

It is conservatively estimated that the enactment of this bill will result in a savings of around \$1,500,000 in administrative costs.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES S. MURPHY, *Acting Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

PUBLIC LAW 74, 77TH CONGRESS

That notwithstanding the provisions of the Agricultural Adjustment Act of 1938, as amended (hereinafter referred to as the Act)—

* * * * *

(7) A farm marketing quota on any crop of wheat shall not be applicable to any farm on which, under regulations prescribed by the Secretary, the actual acreage planted to wheat for harvest of such crop does not exceed 15 acres: *Provided, however,* That a farm marketing quota on the 1962 crop of wheat shall be applicable to any farm on which the acreage of wheat exceeds the smaller of (1) 13.5 acres or (2) the highest number of acres actually planted to wheat on the farm for harvest in any of the calendar years 1959, 1960, or 1961. *Provided, further,* that a farm marketing quota on the 1963 crop of wheat shall be applicable to any farm on which the acreage of wheat exceeds the smaller of (1) 15 acres, or (2) the highest number of acres actually planted to wheat on the farm for harvest in any of the calendar years 1959, 1960, or 1961, *or 1963.*

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Calendar No. 2186

87TH CONGRESS
2^D SESSION

S. 3756

[Report No. 2224]

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 1962

Mr. ELLENDER introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

OCTOBER 1, 1962

Reported by Mr. JOHNSTON, without amendment

A BILL

To amend section 309 of the Food and Agriculture Act of 1962.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That item (7) of Public Law 74, Seventy-seventh Congress
4 (7 U.S.C. 1340 (7)), as amended by section 309 of the
5 Food and Agriculture Act of 1962, is amended by changing
6 the period at the end thereof to a comma and adding “or
7 1963.”

I

Calendar No. 2186

87TH CONGRESS
2d Session

S. 3756

[Report No. 2224]

A BILL

To amend section 309 of the Food and Agriculture Act of 1962.

By Mr. ELLIENDER

SEPTEMBER 27, 1962

Read twice and referred to the Committee on Agriculture and Forestry

OCTOBER 1, 1962

Reported without amendment

1963 WHEAT PROGRAM—SMALL FARM EXEMPTION

OCTOBER 1, 1962.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H.R. 13241]

The Committee on Agriculture, to whom was referred the bill (H.R. 13241) to amend section 309 of the Food and Agriculture Act of 1962, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of this bill is to correct an error in the conference report on the Food and Agriculture Act of 1962. The effect of the amendment is to permit small wheat farmers (those planting less than 15 acres of wheat for harvest) to have the same exemption from marketing quotas under the 1963 wheat program as they had under the provisions of the Agricultural Adjustment Act of 1938 at the time of the referendum on August 30, 1962.

NEED FOR THE LEGISLATION

On August 31, 1962, when the conferees first met on H.R. 12391, which became the Food and Agriculture Act of 1962, very little wheat had been planted for the 1963 crop. One of the first areas of general agreement reached by the conferees was that the 1962 wheat program, as contained in the House bill, would be extended to the 1963 crop with little or no change other than the elimination of the mandatory 10-percent reduction in acreage which was a part of the 1962 program.

One of the provisions of the 1962 program was that the 15-acre exemption from wheat marketing quotas was reduced to 13.5 acres (the mandatory 10-percent reduction) or the highest acreage planted to wheat on the farm for harvest in the years 1959, 1960, or 1961. Pursuant to the general agreement, the mandatory reduction was

eliminated but the basic requirement that plantings for 1963 might not exceed (on farms with acreage of less than 15 acres) the highest acreage planted to wheat for harvest in 1959, 1960, or 1961 was retained. At the time the conferees first met and reached this general agreement, this provision might have been retained without affecting many wheat farmers, because very little wheat had been planted at that time.

By the time the conference committee finally reached agreement and filed its report on September 17, 1962, winter wheat had been planted in many areas of the country. By the time the bill reached the President and was signed by him on September 27, 1962, a substantial portion of the winter wheat was already in the ground. In reviewing the administrative procedures necessary to carry the new law into effect, the Department of Agriculture determined, that because of the large number of farmers who had already planted their winter wheat, administration of the small farm provision of the new law would be extremely costly, if not virtually impossible. Had the conferees been fully aware of this situation, the conference report itself would certainly have been amended to include the provision now proposed in this bill, which will have the effect of permitting small farmers to operate in 1963 under the 15-acre exemption from marketing quotas provided in the 1938 act.

COST

There will be no appreciable additional cost to the Government as the result of this bill because those farmers taking advantage of the 15-acre exemption are not eligible for price supports or diversion payments. On the contrary, the Department of Agriculture will be saved a substantial amount of administrative cost which would be involved in seeking to determine those farmers who had planted small acreages of wheat prior to the enactment of the Food and Agriculture Act of 1962 and in measuring and determining compliance with the new law on the part of those who have not done so.

DEPARTMENTAL APPROVAL

Following is the letter from the Secretary of Agriculture recommending enactment of this bill.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., October 1, 1962.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. CHAIRMAN: This is in reply to the request of your office for a report on H.R. 13241, a bill to amend section 309 of the Food and Agriculture Act of 1962.

This Department recommends the enactment of this bill.

H.R. 13241 would amend section 309 of the Food and Agriculture Act of 1962 to provide that a farm marketing quota on the 1963 crop of wheat shall not be applicable to any farm on which the acreage of wheat exceeds the smaller of (1) 15 acres, or (2) the highest number of acres actually planted to wheat on the farm for harvest in any of the calendar years 1959, 1960, 1961, or 1963. Under the present

provisions of section 309, the exemption would apply to the smaller of (i) 15 acres, or (ii) the highest acreage planted in 1959, 1960, or 1961:

Prior to the enactment of the Food and Agriculture Act of 1962, it was necessary because of time limitations to proceed with a wheat referendum for the 1963 crop based on existing law. Among other things, the then existing law provided for a 15-acre wheat exemption for marketing quota purposes. Farmers were so informed and notified prior to their favorable vote in the recent wheat referendum. The provisions of law with respect to eligibility to vote in the recent referendum provided that any person subject to marketing quotas on wheat would be eligible to vote. Therefore, many producers who at the time were unable to vote are now in a marketing quota penalty position because they have planted more wheat on their farm for harvest in 1963 than the highest acreage planted for harvest in 1959, 1960, or 1961. In the area where the largest number of these farms is located, the planting season for wheat is from approximately September 10 to October 30.

In the winter wheat States, wheat has already been planted on a large percentage of the small wheat farms in reliance on the notice previously given. In these cases it would be necessary under section 309 of the act for the farm operator to dispose of the excess acreage on the farm or be subject to a marketing quota penalty.

There are about 1,200,000 wheat farms which will be affected by the change in the wheat exemption required by section 309. Of these 1,200,000 small wheat farms, it is estimated that from two to three hundred thousand farms would have an acreage seeded to wheat for harvest in 1963 in excess of the permitted acreage. Unless the provisions of section 309 are changed, it will be necessary to determine for each of these farms the highest acreage planted to wheat on the farm for harvest in 1959, 1960, or 1961, and renotify the farmers involved and give them an opportunity to appeal. This will be expensive, time consuming, delay in getting the 1963 wheat stabilization program underway, and cause great confusion and dissatisfaction on the part of farmers.

We believe that under the present provisions of law producers would feel that they had been misinformed with respect to the acreage of wheat which they could grow and would resist the enforcement of the existing provisions of section 309 of the act. We are quite sure that a large number of producers would resort to legal action before complying with this provision of the law.

For 1964 and subsequent years, the Food and Agriculture Act of 1962 provides that the 3-year average acreage of wheat on these small farms will be used both for marketing quota purposes and for purposes of the wheat stabilization program.

In view of the difficulties we would experience in administering the 1963 wheat program with the provisions of section 309 unchanged, we strongly urge the enactment of this bill.

It is conservatively estimated that the enactment of this bill will result in a savings of around \$1,500,000 in administrative costs.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES S. MURPHY.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

PUBLIC LAW 74, 77TH CONGRESS

* * * * *

(7) A farm marketing quota on any crop of wheat shall not be applicable to any farm on which, under regulations prescribed by the Secretary, the actual acreage planted to wheat for harvest of such crop does not exceed 15 acres: *Provided, however,* That a farm marketing quota on the 1962 crop of wheat shall be applicable to any farm on which the acreage of wheat exceeds the smaller of (1) 13.5 acres, or (2) the highest number of acres actually planted to wheat on the farm for harvest in any of the calendar years 1959, 1960, or 1961: *Provided further,* That a farm marketing quota on the 1963 crop of wheat shall be applicable to any farm on which the acreage of wheat exceeds the smaller of (1) 15 acres, or (2) the highest number of acres actually planted to wheat on the farm for harvest in any of the calendar years 1959, 1960, or 1961 **[.]**, or 1963.

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Union Calendar No. 1046

87TH CONGRESS
2^D SESSION

H. R. 13241

[Report No. 2497]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 1962

Mr. COOLEY introduced the following bill; which was referred to the Committee on Agriculture

OCTOBER 1, 1962

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend section 309 of the Food and Agriculture Act of 1962.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That item (7) of Public Law 74, Seventy-seventh Congress
4 (7 U.S.C. 1340 (7)), as amended by section 309 of the
5 Food and Agriculture Act of 1962, is amended by changing
6 the period at the end thereof to a comma and adding “or
7 1963.”

Union Calendar No. 1046

87TH CONGRESS
2^D SESSION

H. R. 13241

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contract and such rebuilding is completed and such vessel is thereafter documented under U.S. registry on its first arrival at a U.S. port not later than 1 year subsequent to the date of enactment of the amendment. The date of enactment of the amendment was September 21, 1961.

Existing law provides an exception to protect owners of American built ships who were having conversion work performed abroad and who intended to re-document their vessels in the United States. To accomplish this the law gave such operators 1 year from date of enactment to complete construction work and re-document their vessel in the United States. The 1-year time period expired on September 21, 1962.

There appeared to be three ships which, due to strikes, slowdowns, and other construction delays in foreign shipyards, were unable to meet the September 21 deadline. Legislation was introduced and considered by our committee in behalf of three vessels, the *Spitfire*, the *Glenbrook* and the *Montauk*. This bill is limited solely to the *Spitfire* since the committee was advised that the *Glenbrook* and *Montauk* might not be eligible under the law in any event. The Maritime Administrator asked for further time to complete an investigation of the facts concerning the two ships.

On the other hand, the testimony before the committee indicated that the owner of the *Spitfire* complied with the requirements of the law with regard to giving notice of contract and intention prior to September 21, 1961, and proceeded promptly to have the conversion work performed on the vessel, and, but for strikes and slowdowns in the Spanish shipyard in which the work was under contract, the ship would have been completed, returned, and re-documented in the United States early in 1962. The committee considered that extension of time for a reasonable period would be equitable, and accordingly amended the bill so as to give the vessel owner until December 31, 1962, an opportunity to have the work completed and the vessel re-documented in the United States so that it might be eligible as a "privately owned U.S.-flag commercial vessel" within the meaning of section 901(b) of the Merchant Marine Act, 1936, as amended.

Enactment of this legislation involves no cost to the United States.

We had lengthy hearings. The Maritime Administration approves of the bill. The committee reported out this bill relating to this one vessel and left the other two vessels to determination by the Maritime Administration.

Mr. MAILLIARD. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, while I agreed not to object to this bill as amended, I should like to point out, so that the RECORD shows just what we have done here. The bill before it was amended would have permitted any vessels in this particular class to have an extension of time.

I also must take issue with what the chairman said, that we had lengthy hearings. We had hearings that lasted only

2 hours, during which time enough suspicious information was developed that we came to the conclusion that with regard to the other two ships in question we were in no position to make intelligent decisions.

With regard to the facts on this ship, I think the committee was satisfied that there was a real effort to meet the deadline and that it was truly beyond the control of the operator. But I think the House should know that the owner of this vessel is also the owner of one of the other vessels involved, and if you would look at page 5 of the committee report, which has the testimony of the Maritime Administrator, you will see that this particular gentleman is under investigation and there is a possibility of fraud. I think this should be a matter of record when the House votes on this bill.

The SPEAKER pro tempore (Mr. ALBERT). The question is, Will the House suspend the rules and pass the bill H.R. 12968 as amended?

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill as amended was passed.

The title was amended so as to read: "A bill to extend certain time limitations of section 901(b) of the Merchant Marine Act, 1936, with respect to the vessel *Spitfire*."

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. BROMWELL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. JONES of Missouri. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 258]

Alexander	Garmatz	Martin, Neb.
Anfuso	Glenn	Mason
Arends	Goodell	Michel
Aspinall	Green, Oreg.	Miller, Clem
Baker	Hall	Miller,
Barrett	Hansen	George P.
Barry	Harris	Moorehead,
Bass, N.H.	Harrison, Va.	Ohio
Bass, Tenn.	Harsha	Mosher
Belcher	Harvey, Ind.	Moulder
Bell	Hébert	O'Brien, Ill.
Bennett, Mich.	Hiestand	O'Neill
Betts	Hoffman, Ill.	Passman
Blitch	Hoffman, Mich.	Pilcher
Boggs	Hull	Powell
Bolling	Ichord, Mo.	Pucinski
Boykin	Inouye	Rains
Buckley	Johnson, Wis.	Reifel
Burke, Ky.	Kearns	Riley
Carey	Kee	Rogers, Tex.
Celler	Keith	Rousselot
Chiperfield	Kelly	Saund
Clark	Kilburn	Saylor
Coad	Kirwan	Schadeberg
Curtin	Kitchin	Scherer
Daddario	Kluczynski	Scranton
Diggs	Kyl	Seely-Brown
Dominick	Latta	Sheppard
Dooley	McDonough	Shipley
Evins	McDowell	Short
Fallon	McIntire	Sikes
Farbstein	McSween	Siler
Feighan	McVey	Smith, Miss.
Finnegan	MacGregor	Spence
Fogarty	Madden	Springer
Frazier	Magnuson	Stagers
Garland	Martin, Mass.	Taber

Taylor	Van Pelt
Thompson, La.	Vinson
Thompson, N.J.	Watts
Tollefson	Wels
Tupper	Whalley
Ullman	Whitten
Utt	Wickersham

Willis
Winstead
Wright
Yates
Zelenko

The SPEAKER. On this rollcall 309 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONFERENCE REPORTS ON APPROPRIATION BILLS

Mr. CANNON. Mr. Speaker, I ask unanimous consent that for the remainder of the session it be in order to consider conference reports on appropriation bills at any time.

Mr. GROSS. Mr. Speaker, I object.

1963 WHEAT PROGRAM—SMALL FARM EXEMPTION

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13241) to amend section 309 of the Food and Agriculture Act of 1962.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That item (7) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(7)), as amended by section 309 of the Food and Agriculture Act of 1962, is amended by changing the period at the end thereof to a comma and adding "or 1963."

The SPEAKER. Is a second demanded?

Mr. HOEVEN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. COOLEY. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. ROGERS].

(Mr. ROGERS of Florida asked and was given permission to speak out of order, and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, word has just come that the Norwegian Shipowners Association has announced its decision to suspend further shipments to Cuba aboard Norwegian flagships. This action makes Norway the third allied nation to cooperate with the U.S. embargo on Cuba. West Germany and Turkey have announced their cooperation, and moved with equal determination in the cause of the principles of the free world.

What of the others? Over 25 percent of the ships involved in Cuban traffic are Greek flagships. Over 15 percent of the traffic is in British ships. When will these nations come around? Are the policies of their governments contrary to ours? The British Foreign Secretary, Lord Home, has expressed British "sympathy" for the Cuban dilemma, but these condolences could be given added sincerity by a British ban on water haulage to Cuba.

Mr. Speaker, tomorrow a hearing will be held by the House Select Committee

on Export Control. The purpose of the hearing is to investigate the entire matter of shipments to Cuba. Hopefully this investigation will result in a clarification that the American people want and have every right to expect allied cooperation in stopping aid to the Communists.

Mr. COOLEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, we are submitting a very brief bill, the purpose of which is to amend the Agricultural Act which was signed by the President just a few days ago. This is made necessary because between the time that the House conferees first met until the bill was finally signed thousands of small wheat farmers planted under the then existing law, which permitted them to plant up to 15 acres of wheat for harvest without penalty.

Just before the President signed the bill I was advised by officials of the Department of Agriculture that it would be almost impossible to administer the bill because of the situation which then existed, that is, thousands of little farmers knowing at the time they had a right to plant up to 15 acres, had planted up to 15 acres, and had exceeded the highest planting in the previous 3 years, as provided in the bill.

Thousands of others in other parts of the country no doubt are planning to plant wheat for harvest in 1963, but under the language of the bill that was signed by the President they would be operating under a law different from that in effect at the time the producers referendum was held. The effect of the bill is to correct this situation and give small wheat farmers—those planting under 15 acres—the same exemption from marketing quotas under the 1963 wheat program as they had under the 1938 act when the referendum was held on August 30, 1962.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. I wonder if the chairman would explain to the House that we had been considering this bill in August 1962 before any wheat was planted, but practically all the winter wheat in the United States is planted during the month of September. It took an entire month before the Congress could get this bill through. The result was that at the time of the conference report, at that time there was originally an agreement on this phase of the bill, there was not any necessity for changing this bill. But by the time the bill finally became law a great many people had acted under the authority of the then existing law which was the law of the land until a week ago when the President signed this thing.

Mr. COOLEY. I know there was some unhappiness because of the 15-acre exemption. That is one of the things that resulted in the accumulation of the enormous supply of wheat we now have in storage. I, for one, would like to see it done away with if possible. But we know we cannot possibly do it now. It would not be fair to subject these people

to the payment of penalties by changing the law after the wheat has been planted. We are told that unless we pass this bill 250,000 or 300,000 small wheat farmers may find themselves in the position of having to pay penalties.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. MAHON. Many of the wheat growers in my area have already planted wheat and some of them are in the 15-acre category. As I understand it, this takes care of the situation for the crop year now beginning. To fail to pass this bill would be a great injustice to many farmers. The bill is urgently required.

Mr. COOLEY. That is right.

Mr. MAHON. I want to commend the committee for its action in presenting the pending measure.

Mr. BATTIN. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. BATTIN. I hesitate to bring this up. I know the position of the chairman of the committee. But it boils down to something that is quite inconsistent and I would like to just ask the gentleman whether he agrees or disagrees. When the farm bill passed the House a week or so ago the House was informed the purpose of it was to reduce the number of bushels being produced to get it more in line with consumption. A week later you come back and you are going to create a 15-acre exemption that is bound to increase the amount of wheat that is produced and the amount that is in storage. I do not quite understand the position of the committee.

Mr. COOLEY. It was pointed out by the gentleman from Texas [Mr. POAGE] a moment ago at the time we went to conference very few, if any, wheat farmers had planted their winter wheat. During the past 4 weeks thousands of them have planted. At that time it was perfectly proper to do so because they had the right to plant. Now I do not think they should be penalized.

Mr. HOEVEN. Mr. Speaker, I yield myself 8 minutes.

(Mr. HOEVEN asked and was given permission to revise and extend his remarks.)

Mr. HOEVEN. Mr. Speaker, this bill has a very interesting history. The bill is not one to correct a mere typographical error, as some people have contended. It proposes to make a very substantial change in the law concerning the 15-acre farm marketing quota. Under the wheat law that was in effect up to last Thursday when President Kennedy signed the new farm bill, anyone in America who chose to do so could raise 15 acres of wheat for harvest in 1963. There was no requirement that there be a previous history of raising wheat on the farm. It was on open-end invitation to everyone to raise 15 acres of wheat if they chose to do so. Many farmers throughout the winter wheat area did just that. They planted 15 acres of wheat relying on the Department of Agriculture's advice that they could do so. The new farm bill, however, changed the law as to this 15-acre ex-

emption. It says that in 1963 a small wheat farmer can plant no more wheat than he did in 1959, 1960, or 1961. Thus, if he planted no wheat in any of those 3 years, he could plant no wheat in 1963. If he has already planted his 1963 winter wheat to an acreage that is greater than his highest planted crop in 1959, 1960, and 1961, he would be required to either destroy this excess acreage or to pay a marketing penalty.

This bill before us, H.R. 13241, is designed to change the new farm law by allowing all small wheat farmers to plant up to 15 acres in 1963, going back to the law that was in force and effect before the conference report was approved.

It would in effect repeal the provision in the new bill which cut back all small wheat farmers, and it would reinstate the old law. Let us say at this point it seems rather a ridiculous situation when this bill is introduced on September 26, 1962, to amend a law which the President had not yet signed. The President signed the bill on September 27. This is just an example of the flood of so-called correction and adjustment amendments which will be forthcoming when the 1964 wheat certificate plan goes into effect.

I would point out in that regard to all Members who are directly interested in 15-acre wheat farmers, that the adoption of the certificate wheat plan permanently repeals the 15-acre wheat exemption in 1964.

The conferees on the omnibus farm bill made the change in the 15-acre exemption for 1963 with their eyes open. They knew what they were doing. There was no mistake, there was no error.

The Department of Agriculture even sent word to the conferees that they did not favor the change in the 1963 program. This happened on September 17, 1962, the last day of the conference. I also assume that the President was advised of the effect of this provision when he signed the bill into law last week; and knowing of the proposed amendment he should not have signed the bill until the amendment had been approved.

I am also sure that Secretary Freeman was aware of this provision when the bill was signed or he would not have asked the chairman of the committee to introduce the bill now before us.

Mr. Speaker, the issue in H.R. 13241 is not a partisan one at all. In fact, Members from districts which have 15-acre wheat farmers may find some merit in H.R. 13241. To Members representing the commercial wheat districts west of the Mississippi River, I doubt there will be much support. To Members not involved directly in wheat or in agriculture generally, I would point out just two facts. First, this bill is being brought up under a procedure whereby there is a very limited debate with no chance of amendment and without committee hearings. If an inequity is to be corrected, I would like a chance to correct a few other inequities in the new farm bill, such as 80-cent corn which this administration is offering my Iowa corn farmers in 1964.

Secondly, to again open up wide the 15-acre exemption for 1963 will encourage

further production of wheat. And let us remember that many 15-acre wheat farmers are not small farmers. They are small wheat farmers, yes, but in many instances this wheat production is incidental to their regular farm operation. It can do nothing more than bring more wheat acres into production, not only this fall but next spring. It will bring in untold numbers of new growers, and still many people complain about the ever-growing surplus of wheat.

Many members of the Committee on Agriculture have repeatedly said that the 15-acre exemption has been a loophole in the wheat law. This bill reopens that loophole. At a time when wheat farmers in the Western States are being paid some \$43 an acre to retire wheat acreage for 1963, thousands of new acres of wheat could come into production in the area east of the Mississippi River and elsewhere. So what becomes of the wheat surplus that everyone wants to reduce? It would simply mean more wheat in Commodity Credit bins and more cost to the taxpayers.

This was the very reason the conferees on the farm bill changed the 15-acre law. If that was a good reason a week ago, why is it not now? It looks to me that this whole thing is a maneuver to get off a political hook.

Mr. COOLEY. Mr. Speaker, I yield myself 2 minutes to ask the gentleman from Iowa a question. That is whether or not, as one of the conferees, he knew at the time that under that bill and the provisions thereof 300,000 small wheat farmers might be subjected to a penalty?

Mr. HOEVEN. I will say to the gentleman that the minority members of the conference committee did not sign the conference report. When the question was determined as to whether or not the certificates plan would be incorporated in the conference report, the Republican members of the conference committee did not associate themselves with any further effort.

Mr. COOLEY. Will the gentleman answer the question: Did he realize that under this law 300,000 wheat farmers might be subjected to penalty and the same 300,000 had no voice in the matter?

Mr. HOEVEN. I do not know. Representatives of the Department of Agriculture, however, came into the conference and warned us about this thing, and the conferees, regardless of that, wrote it into the conference report. The minority members refused to sign the report.

Mr. COOLEY. The gentleman was one of the conferees. Was he aware of the effect this would have?

Mr. HOEVEN. I said I was aware of the situation.

Mr. COOLEY. The gentleman was aware of it but he did not say anything about it?

Mr. HOEVEN. Something was said on our side.

Mr. COOLEY. I did not know about the effect of it until the night before the President signed the bill, and when I was advised of it I immediately introduced this bill to correct the mistake.

Mr. HOEVEN. The gentleman was not listening when representatives of the De-

partment of Agriculture warned the gentleman what this would do.

Mr. COOLEY. We talked about it, but nobody knew the ultimate effect of it.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, I do not think it makes a great deal of difference how we got into this unfortunate situation. Of course it might make some difference as to where you can put some political blame. It might have some political implications. But as far as trying to deal fairly with the smaller wheat-growers of America is concerned, it does not make much difference whether the ranking minority member knew about this and the rest did not understand about it or not. I am not going to claim I had the foresight that the minority members say they had.

We recognized in August when the conference committee first met that practically no one had planted wheat in the United States and that there would be no injustice if we proceeded at that time to announce to everybody in the United States that they could not plant 15 acres in compliance with the old law, because nobody had at that time acted under the old law; but it happens that the month of September is the month during which about four-fifths of all the winter wheat of the United States is planted. It happens that the conference went on for a long time. It was a full month from the time the conference committee met and discussed this matter until it became law.

During that time a very large number of small wheatgrowers had planted under authority of the law as it then existed, and they are the ones we are talking about, people who grow less than 15 acres. We are not talking about one single big wheatgrower in the United States.

So often we get up here and talk about "this is for the small farmer" when we do not have any definition of "small farmer."

Mr. Speaker, in this case we are talking about no one who is growing more than 15 acres of wheat, and he is pretty small. So clearly, this is a case of small farmers.

I do not personally believe in the 15-acre exemption. I think we made a mistake when we adopted it. I sought to remove it from the law. I would like to remove it from the law. If the farmers adopt the certificate plan which is offered to them under the act which has just been cited, this exemption will be removed from the law next year. But in the meantime, I do not want to do an injustice or be unfair to 300,000 or 300 farmers in the United States who acted in good faith, who acted under the law as it existed at the time they acted, up until the 27th day of September, 1962, they had a right to plant this 15 acres. I think it was ill-advised, but they had the legal right to do it. They exercised their legal rights.

Mr. Speaker, I do not think the Con-

gress should now take away from them the right which they had under the law and, in effect, impose an ex post facto law.

Mr. Speaker, I think the gentleman from Iowa [Mr. HOEVEN] correctly stated that in the large commercial wheat areas, the great commercial areas such as in my State, which produces a substantial amount of commercial wheat—we have grown as much as 150 million bushels of wheat, and that is not just chicken feed; we are a substantial producer of wheat—in the large producing areas most of the larger producers would like to do anything they can do to get rid of the 15-acre man. I do not blame them for wanting to be rid of the 15-acre man. I want to get rid of the exemption, but I want it to be done in an honorable way. I want it to be done in a fair way, and I want it to be done without doing an injustice to any man.

Mr. Speaker, I agree with the gentleman from Iowa [Mr. HOEVEN] that in Ohio, Indiana, Illinois, in Kentucky, in Pennsylvania, and in New York most of the farmers will want to perpetuate the 15-acre exemption. Certainly it will be of definite interest in those States.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. POAGE. Certainly, I yield to the gentleman from Iowa.

Mr. HOEVEN. Of course, the gentleman from Texas [Mr. POAGE] knows that the 15-acre exemption will be entirely repealed in 1964.

Mr. POAGE. I said that.

Mr. HOEVEN. The gentleman from Texas said it would perpetuate it.

Mr. POAGE. I said that if farmers approve the certificate plan next year that it will wipe out the 15-acre exemption. Still that does not mean that the people in those areas do not want to perpetuate it, and I repeat my statement that it is perfectly obvious, as the gentleman from Iowa said, that those people will want to perpetuate that because it is to their advantage. But I do not want them to perpetuate it. Neither do I want to take it away from them by some chicanery which takes away a right they had at the time they acted.

Mr. Speaker, those Members of the House who are not involved in either of these areas are simply faced with the question of whether this is right or wrong. They are faced with the question of the morality of the thing. Should you take away from anyone, no matter whether you think he should have been given the right or not, should you take away from him the right which he exercised under the law as it existed at the time he exercised it?

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from North Carolina.

Mr. COOLEY. And these little fellows had a right under the law up to the very minute that the President signed the bill?

Mr. POAGE. That is right; up until last Thursday.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. POAGE. Yes, I yield to the gentleman from Oklahoma.

Mr. ALBERT. This will be in the nature of an ex post facto law with respect to every one who had planted under the 15-acre exemption prior to the passage of the Agricultural Act?

Mr. POAGE. That is right. It becomes an ex post facto law for about 300,000 people in the United States. It was not ex post facto at the time the conference committee first met. I want everyone to understand that. We did not deliberately impose an ex post facto program upon these people. The long delay is what made it that way.

Mr. ALBERT. Whether it was on purpose or inadvertent is immaterial.

Mr. POAGE. That is exactly my view.

Mr. ALBERT. It was an ex post facto law and the fact that it is in the 1964 program is immaterial, because those who plant in 1964 will be on notice.

Mr. POAGE. That is exactly right.

Mr. HOEVEN. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. QUIE].

(Mr. QUIE asked and was given permission to revise and extend his remarks.)

Mr. QUIE. Mr. Speaker, I think we have been in trouble ever since we started working on agricultural legislation this session. When we went into conference I pointed out that in Minnesota, even in August we start planting winter wheat. Some people were disfranchised, you say. I might also point out that these 300,000 people who have now planted more than their highest acreage average for the last 3 years, never had the right to vote in the first place.

One of the troubles with this wheat-control program over these years has been the fact that we have had a 55-million-acre minimum and a 15-acre exemption. In 1963, when the referendum was passed, we provided in the conference report for a voluntary program, so that we could actually reduce wheat acreage below 55 million acres. But despite a difficult situation, some farmers had already planted up to their 15 acres and we had to do something about the overplanting under the 15-acre exemption. This is not the first time we have legislated after farmers have planted. We did that in 1961, when the emergency feed grain program was passed. Farmers had already planted corn at that time; they had already planted grain sorghum. We legislated for them.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield.

Mr. ALBERT. The difference is that under the 1961 act, the program was voluntary. If this were a voluntary program those who had planted 15 acres could reduce and come under the program, and it would be an entirely different matter.

Mr. QUIE. It was voluntary to this extent in 1961, that a farmer could get price supports if he would comply, but he would get no support if he would not comply. Some farmers planted, assuming 65 percent support on all they planted. What this means really is that the program will be unfair to certain

farmers. The Department of Agriculture did not wait until the President signed the bill before they notified the States that this change had been made. I was in Minnesota on the day that the Senate passed the conference report, before the President signed the bill. And already the word had come down to the counties that farmers could only plant up to the highest acreage of the last 3 years. That means that here were some farmers who followed this in September, and only planted up to their highest acreage. They would have planted up to the 15 acres if the notice had not been given. So there is a group of farmers to whom this is going to be unfair whatever we do, and it would not be fair to the others, either.

What is going to happen is that every bushel of wheat raised under the 15-acre exemption will go into the market. It will all go into the market. And, so, because that wheat is going into the market, the wheat that other farmers have raised under their allotments will have to go into storage. So every bushel of wheat raised under the 15-acre provision will have to go into storage, and we are going to have to pay taxes on it.

I have 15-acre producers in my district. I have elevators that never purchased a kernel of wheat until this 15-acre exemption came into effect, who would be greatly benefited by this. But I believe that as long as we have controls, that the law ought to control. I do not believe 15-acre exemptions should be permitted if we have the control program. I do not like it. I do not think they should be permitted to raise wheat when other farmers raising wheat have had to send it into storage. We do not think it is fair to the farmers who have raised wheat all these years. That is the basis for my objection. In fact I think the whole program is in trouble, more so than any other commodity.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield.

Mr. COOLEY. Mr. Speaker, the gentleman sat through the conference. I would like to ask him the same question I asked the gentleman from Iowa. Did he realize that if we passed that bill, that 300,000 small wheat farmers of America might be subjected to penalties?

Mr. QUIE. I did not know the number. But on the first day that the subject came up in conference I pointed out to the gentleman and those who sat with him, that some farmers had already planted, all the way from the South to the North. I do not know what the number was. I sat there, as did the gentleman from North Carolina, when the Department representatives said that there were four things that had to be changed, and one of them was this question. We considered it and turned their proposal down.

Mr. COOLEY. The gentleman was in the committee this morning, or yesterday morning, or whenever it was, when the Department representatives said that the total acreage involved was very, very small.

We were told that the difficulties of administering this bill were almost im-

possible, and that the cost would be \$1,500,000. I think with that explanation this House ought to agree with what is right and honest and fair, rather than go out and penalize 300,000 people when we did not intend to do it.

Mr. QUIE. Take those 300,000 people. Multiply 30 bushels per acre by 2 acres each, overall they would have planted otherwise. That would be 18 million bushels. Multiply that by \$1.82, and you find a cost of \$33 million, a much greater cost to the Government than the \$1,500,000 it would cost to administer this program. So I think we have an expensive program here when you are willing to spend \$30 to \$100 million more for a program to save \$1.5 million. How can we continue to build up surpluses in a control program and try to justify it. Would it not be better to have a voluntary program for all, so each farmer could choose his wheat acreage?

Mr. HOEVEN. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. DOLE].

(Mr. DOLE asked and was given permission to revise and extend his remarks.)

Mr. DOLE. Mr. Speaker, I take this time to point out some things which have not been mentioned. This morning when the bill was before our committee we had a very brief explanation of it. We heard a man from the Department who could give us no figures and no estimates as to what the cost might be and how many farmers might be involved. The estimates appearing in the papers have been around 300,000 or 350,000 farmers. If those who are involved, out of an estimated total of 1.2 million 15-acre producers, each were permitted to plant 1 additional acre which would yield in these areas an average of 30 bushels an acre, an additional 9 million bushels would be added to the surplus, and this is a very conservative estimate. A more realistic figure would be an average of 5 acres per farmer if this bill is enacted. Multiply 300,000 or 350,000 by 5 and that by 30—yield per acre—and you get over 50 million bushels of wheat to add to the surplus.

The Department experts say this will not cost any additional money. In Kansas where many of our farmers are permitted to plant less than 25 percent of their cropland. Now in 1964, because of this bill we will have added 50 million bushels to the surplus, yet will be asking Hard Winter wheat producers to take at least a 20-percent cut in acreage because of the present surplus. We are going to add 50 million bushels more to the surplus by this legislation, which is unfair to the commercial wheat farmers who undoubtedly will be asked to take even a deeper cut in 1964 because of it.

The date on the conference report on H.R. 12391, the Food and Agriculture Act of 1962, is September 17. It indicates on page 34 that apparently someone in the conference knew what was going on because it is stated—

As in 1962, the 15-acre exemption would be modified to the highest acreage planted in 1959, 1960, or 1961.

What this bill does is to invite everyone, wherever they live, to plant 15 acres

to wheat during this current marketing year. It is patently ridiculous at the very time the administration talks long and loud about surpluses and storage costs.

Mr. CURTIS of Missouri. If the gentleman will yield, if I understand the gentleman's figures, this would add 50 million bushels, in other words, about \$80 million on the taxpayer's back.

Mr. DOLE. Well, it is difficult to tell, but it would be substantial. We have had much talk from Secretary of Agriculture Freeman about storage costs, but he must admit many million additional bushels will go into storage by this legislation. Coming from a commercial wheat area, I know this is bad legislation and while we talk about bailing out 350,000 15-acre wheat farmers, what about the best interests of farmers in commercial wheat states such as Kansas, Oklahoma, the Dakotas, Nebraska, and other commercial wheat producing areas. Certainly this should be defeated. We have heard statements about how this bill would help the "little" farmer, and I trust the Members will not be led to believe that those who raise 15 acres of wheat do nothing else. Most of the farmers involved here raise wheat just as a sideline which permits them to utilize almost every acre not devoted to their primary crop, whether it be tobacco, cotton, corn or what have you. Great Plains wheat growers have been urging a clampdown on the 15 acre producer for some time, and 2 weeks ago when the administration farm bill was in conference an amendment was included which would have restricted farmers with allotments of less than 15 acres to plant only as much wheat as they had grown in the highest year in the years 1959, 1960 or 1961. Thus, if a farmer had only 8 acres as his highest figure in one of these years, but actually planted 15 acres in 1963, he would, under the bill signed last week by the President, be subject to certain penalties unless he plowed under the overseeded acres. This same provision applies to other wheat producers who overplant, but today the same Members who approved the conference report are now asking that we change it and throw open the doors to permit anyone to plant up to 15 acres without penalty. This is not a clerical error as some have stated in the press, but it changes the very law passed by this House by the narrow vote of 202 to 197. It is a direct slap in the face to all wheat producers in commercial areas and is just another example of what happens when a stubborn Secretary of Agriculture completely confuses the Nation's farmers by his refusal to compromise so that acceptable legislation may be enacted prior to planting time. Though this may not be a lesson to Secretary Freeman, it is something you should remember as he parades around the country making political speeches about the great strides he has made in agriculture the last 2 years.

To the wheat producer of western Kansas, this legislation is most discriminatory and should be defeated.

Mr. BEERMANN. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Nebraska.

Mr. BEERMANN. When we had the Department of Agriculture representative before us, was he able to give us an estimate of how many new producers this might involve?

Mr. DOLE. No, he did not give us anything that I know of.

Mr. BEERMANN. When we asked him about the cost, he had no idea about the number of bushels or what it would cost.

Mr. DOLE. He did not know, of course. Nobody knows how many will take advantage of this. Anybody who has 15 acres lying around can now plant 15 acres of wheat. As they say in the report, the planting season does not end until the end of October, then you have the spring wheat people, too.

Mr. BEERMANN. Well the gentleman is right on the estimate of 15 million bushels for probably \$8 million.

Mr. COOLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. JONES].

(Mr. JONES of Missouri asked and was given permission to revise and extend his remarks.)

Mr. JONES of Missouri. Mr. Speaker, there is not anything too complicated about this. There have been some statements made that I do not think leave the correct impression. This wheat which is produced this year under the 15-acre provision is not subject to price supports and it cannot go into loan. That is No. 1.

So far as increasing the amount of acreage, there will be very little of that because the farmers who are growing these 15 acres or less have their farm plans made. Therefore, we are not going to add much to them.

Nothing that we do, whether we pass or do not pass this bill, is going to change the 1964 law or the allotments for that year.

Unless we do pass this law, I think we will be bringing about an inequity to these 15-acre-or-less producers who planted prior to the signing of the new farm bill, because while they will have complied with the law at that time, the new law does give the Government an obligation to go back and administer under this new law. In that case, those farmers who had planted more than the highest acreage that they had planted in any one of these last 3 years would be penalized or they would have to plow up that difference. It might be only an acre or it might be 2 acres. There is not a lot of acreage involved and there is a rather insignificant amount of wheat involved here.

So I think if we want to do equity to all the farmers and put all of the 15-acre wheat farmers under the same rule, then it is very important that we do pass this law.

Mr. ALBERT. Mr. Speaker, will the gentleman yield for just one observation?

Mr. JONES of Missouri. I yield.

Mr. ALBERT. I think the gentleman will agree with me that this will affect the overwhelming majority of wheat-growers east of the 100th meridian, east of Oklahoma and Kansas, and it will af-

fect the overwhelming majority of the wheatgrowers east of the Mississippi River.

Mr. JONES of Missouri. I do not see how any Representative who represents an area where they do have these 15-acre wheat allotments could possibly vote against this. I think those who are not representing that type of wheat producer and who want to be fair and see that equity is done will want to vote for this law. And those who, like myself, are interested in economy may be interested in this letter from the Under Secretary in which he says:

It is conservatively estimated that the enactment of this bill will result in savings of around \$1,500,000 in administrative costs.

Now, how does it do that? Unless we do adopt this amendment all of this wheat that was planted prior to September 26, when this bill was signed, will have to be measured. That is, the plots will have to be measured, and they will have to get the production of the 3 years to see which was the highest and then if they have overplanted, there will have to be a penalty assessed. So, as a matter of equity and as a matter of fairness and to avoid the possibility of these people being penalized and to save this money, I think the amendment should be adopted.

I think the following letter, from the Under Secretary of Agriculture, Mr. Murphy, to the chairman of the House Committee on Agriculture, the Honorable HAROLD D. COOLEY, explains very clearly why this bill should be passed.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., October 1, 1962.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to the request of your office for a report on H.R. 13241, a bill to amend section 309 of the Food and Agriculture Act of 1962.

This Department recommends the enactment of this bill.

H.R. 13241 would amend section 309 of the Food and Agriculture Act of 1962 to provide that a farm marketing quota on the 1963 crop of wheat shall not be applicable to any farm on which the acreage of wheat exceeds the smaller of (1) 15 acres, or (2) the highest number of acres actually planted to wheat on the farm for harvest in any of the calendar years 1959, 1960, 1961, or 1963. Under the present provisions of section 309, the exemption would apply to the smaller of (1) 15 acres, or (ii) the highest acreage planted in 1959, 1960, or 1961.

Prior to the enactment of the Food and Agriculture Act of 1962, it was necessary because of time limitations to proceed with a wheat referendum for the 1963 crop based on existing law. Among other things, the then existing law provided for a 15-acre wheat exemption for marketing quota purposes. Farmers were so informed and notified prior to their favorable vote in the recent wheat referendum. The provisions of law with respect to eligibility to vote in the recent referendum provided that any person subject to marketing quotas on wheat would be eligible to vote. Therefore, many producers who at the time were unable to vote are now in a marketing quota penalty position because they have planted more wheat on their farm for harvest in 1963 than the highest acreage planted for harvest in 1959, 1960 or 1961. In the area where the largest number of these farms is located, the planting season for wheat is from approximately September 10 to October 30.

In the winter wheat States, wheat has already been planted on a large percentage of the small wheat farms in reliance on the notice previously given. In these cases it would be necessary under section 309 of the act for the farm operator to dispose of the excess acreage on the farm or be subject to a marketing quota penalty.

There are about 1,200,000 wheat farms which will be affected by the change in the wheat exemption required by section 309. Of these 1,200,000 small wheat farms, it is estimated that from 200,000 to 300,000 farms would have an acreage seeded to wheat for harvest in 1963 in excess of the permitted acreage. Unless the provisions of section 309 are changed, it will be necessary to determine for each of these farms the highest acreage planted to wheat on the farm for harvest in 1959, 1960, or 1961 and renotify the farmers involved and give them an opportunity to appeal. This will be an expensive, time-consuming delay in getting the 1963 wheat stabilization program underway, and cause great confusion and dissatisfaction on the part of farmers.

We believe that under the present provisions of law producers would feel that they had been misinformed with respect to the acreage of wheat which they could grow and would resist the enforcement of the existing provisions of section 309 of the act. We are quite sure that a large number of producers would resort to legal action before complying with this provision of the law.

For 1964 and subsequent years, the Food and Agriculture Act of 1962 provides that the 3-year average acreage of wheat on these small farms will be used both for marketing quota purposes and for purposes of the wheat stabilization program.

In view of the difficulties we would experience in administering the 1963 wheat program with the provisions of section 309 unchanged, we strongly urge the enactment of this bill.

It is conservatively estimated that the enactment of this bill will result in a savings of around \$1,500,000 in administrative costs.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES S. MURPHY.

Mr. HOEVEN. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Speaker and Members of the House, this is a debate that has been going on ever since we have had a wheat program. I am distressed, I might say, to see the gentleman from Oklahoma [Mr. ALBERT] and the gentleman from Texas [Mr. POAGE] deserting the wheat-producing area on this particular issue, because they have always been able to stand up for what we believe to be the best interests of the historical wheat-producing area.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I will yield to the gentleman if the gentleman can get me another minute.

Mr. ALBERT. I think the point here is a matter of fairness. This is a question of passing an ex post facto law. The gentleman is correct in this respect—if the wheat farmers had been on notice, I would agree with him.

Mr. AVERY. There is nothing unfair about the bill as it applies to the 15-acre farmers as the bill is now written. But I think there has been a misrepresentation made here this afternoon.

There is no discrimination in the present language of the bill. Every wheat farmer is being treated like every other one. Their production is going to be limited to the wheat-producing history on that farm. Now we want to come along here and say, well, if you have under 15 acres you do not need to comply and you may be relieved from the penalty that we are imposing this year, and proceed to plant the usual 15 acres.

The gentleman from Missouri [Mr. JONES] mentioned about the extra administrative cost. That is fictitious. Every wheat farm is going to have to be measured whether this bill passes today or not and a certain percentage of the farmers will be overplanted. So after the measurement has been made they will have to destroy their wheat and they are going to have about the same number of acres to destroy whether or not this bill passes. Therefore that is a fictitious argument as far as the administrative costs of the bill are concerned.

As to whether there are 300,000 wheat farmers affected by this I do not know. Where that figure came from I do not know. I think there is a presumption that all farmers would like to plant 15 acres of wheat and would like to exceed their history by the 15 acres if they could. I do not think that is a valid assumption, because they will not be eligible for price support if they do exceed their farm history.

The bill should be defeated, Mr. Speaker, as evidence of majority support of the bill that passed the other day.

Mr. HOEVEN. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. LATTA].

(Mr. LATTA asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, I arise today to support H.R. 13241 which will once again give to the small family-type farmers of America the 15-acre wheat exemption to which they are rightfully entitled. I regret, however, that it will be for only 1 year.

It is quite true that the Democrat farm bill recently passed by this Congress would have given to these small wheat producers for the crop year 1963 an exemption only as large as the highest of their planted acres for 1959, 1960, or 1961. This was not an error as now suggested by the Democrats when they passed their bill as this restrictive language was in H.R. 12391 which the House passed and was considered by the conferees in conference; it was in the conference report which the conferees sent to the House; and it was contained in House Report No. 2385.

This unbearable and unwarranted restriction on these small wheat producers was known to the administration at the time the President signed the Food and Agriculture Act of 1962 and the bill which we are considering today, H.R. 13241, was introduced by our chairman a full day in advance of the White House fanfare surrounding the President at the time he signed the bill.

Therefore, Mr. Speaker, I want it thoroughly and completely understood that in supporting this bill today, I am not being hoodwinked into believing that we are correcting an unintentional error in the legislation to which I previously referred. We are, instead, amending one of the many inequities and injustices in that legislation which should have been apparent to all at the time it was passed.

Mr. HOEVEN. Mr. Speaker, I yield the remainder of my time to the gentleman from Montana [Mr. BATTIN].

The SPEAKER. The gentleman from Montana is recognized for 2 minutes.

(Mr. BATTIN asked and was given permission to revise and extend his remarks.)

Mr. BATTIN. Mr. Speaker, we have heard a great deal of conversation about wanting to be fair, and I think we should. If you review the 1962 Agriculture Act that passed the House there was no 15-acre exemption. There was no 15-acre exemption in the bill that passed the House a few weeks ago and also passed the Senate and that went to conference. Now we are coming back and saying we need a 15-acre exemption for the small wheat farmers who plant corn, sorghum, and everything else, and who need a little extra income.

I represent probably the largest wheat-producing area in the United States as far as area is concerned. You are asking me and you are asking other Members who represent the commercial wheat producers of this country to go home and tell our people they have to take a 20-percent cut in their acreage and at the same time explain why the 15-acre producer should come back in a program.

What about the consuming areas? The gentleman from Missouri [Mr. CURTIS] made a very fine point. We were told no more than a week and a half ago that the reason we had to have rigid controls on wheat producers was that we simply had to cut down wheat production, yet today we are now asked by the same people who supported controls, the same people who insisted on controls to cut down production, now want to open the doors and let more wheat be produced. It just does not make any sense, and I do not think it is going to make sense to other Members in this House who want to help the consuming areas, the taxpayers who will have to pay the bill.

What worries me, Mr. Speaker, is that some Members are going to come back next year again asking the commercial wheat producers to cut back again.

Mr. COOLEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I just want to say again I think our committee acted as promptly and as diligently as the situation demanded when we became aware of the effect that the bill would have on these 250,000 or 300,000 small wheat farmers.

We have given you, the membership of this House, an opportunity to say whether you want to penalize these farmers; and as pointed out by the gentleman from Oklahoma [Mr. ALBERT] a large majority of these 15-acre people are east of the Mississippi River.

I can readily understand how the large commercial wheat growers feel about this 15-acre exemption. I sympathize with their situation and I will do everything I can to prevent further expansion of the 15-acre exemption now in the law. After 1964 we will not have such an exemption on the statute books.

(Mr. BREEDING asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BREEDING. Mr. Speaker, this amendment adds the words "or 1963" to the section dealing with the 15-acre exemption. Under the provisions of law in effect when marketing quotas were approved on August 30 of this year, every producer was eligible to seed up to 15 acres without penalty. Since the agricultural bill was enacted after the referendum, I believe it was the intention of the committee not to require any reduction in allotments on permitted acres below that in effect at the time of the referendum.

As a matter of fact, it is not only morally wrong, but actually unconstitutional as I see it to enact retroactive legislation.

The farmers in my district know that I have always been opposed to the 15-acre exemption, and the permanent wheat program for 1964 permanently repeals the 15-acre provision.

This amendment as I understand it, leaves the 15-acre exemption as it has previously been under the old 1958 law.

It has been brought to my attention that without this legislation it would be impossible to administer, that it would be hard to tell just when the wheat was planted.

The seedings in the new act says that without this amendment that if you planted according to the average of your recent seedings you would be all right but if you seeded up to 15 acres then you would have to pay a penalty on all acres above your average, a penalty of about \$1.10 per bushel times your normal yield. Although I am opposed to the 15-acre exemption this bill keeps the status of the 15-acre exemption as it was administered under the old 1958 act.

Mr. Speaker, I am opposed to the 15-acre exemption.

I am opposed to this legislation.

Mr. COOLEY. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Speaker, I have a farm myself in Pennsylvania, a small one, and I am interested in the protection and rights of the small farmers of Pennsylvania and the country. I believe this bill is a situation where we are deciding between the farmers of 15 acres and under and, on the other hand, the commercial farmers of very large-sized acreage. To me, in the U.S. farm program there is room for the 15-acre and under farmer and he is entitled to his full rights in my book.

I can understand the situation of those farmers in the Middle West areas who think there should be commercial-size farms only.

But it is in the commercial-farm States that the surplus are arising.

Eastern States such as Pennsylvania are deficit feed-growing areas, and do not cause farm surpluses. As a matter of fact our Pennsylvania farmers buy their necessary feed from other States when it is not raised on their own farms, or nearby in Pennsylvania. So our Pennsylvania farmers are good customers of the commercial areas of the Midwest States and should not be penalized by not being able to raise 15 acres of feed on their own farms to feed their own animals. Otherwise if the small farmers have to destroy the crop already planted, or part of it, because of the current state of agriculture law, they are penalized in a year of drouth requiring extra feed, and have to pay cash for outside feed, plus added freight charges from Midwest areas.

As an eastern district small farmer from Pennsylvania, knowing in what situation the Pennsylvania small farmer now finds himself, I favor this bill, and hope it passes.

CALL OF THE HOUSE

Mr. JONES of Missouri. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 259]

Alexander	Harris	Powell
Anfuso	Harrison, Va.	Pucinski
Arends	Harsha	Rains
Aspinall	Harvey, Ind.	Reifel
Auchincloss	Hébert	Riley
Baker	Hiestand	Rogers, Tex.
Baring	Hoffman, Ill.	Saund
Barry	Hoffman, Mich.	Saylor
Bass, N.H.	Hull	Shadeberg
Becker	Ichord, Mo.	Scherer
Bell	Inouye	Scranton
Bennett, Mich.	Johnson, Wis.	Seely-Brown
Berry	Kastenmeier	Shelley
Betts	Kearns	Sheppard
Blitch	Kee	Shipley
Boggs	Keith	Short
Bolling	Kilburn	Sikes
Boykin	Kitchin	Siler
Burke, Ky.	Kowalski	Smith, Calif.
Carey	Kyl	Smith, Miss.
Celler	Laird	Spence
Chiperfield	Latta	Springer
Coad	McDonough	Steed
Curtin	McDowell	Taber
Curtis, Mass.	McIntire	Taylor
Daddario	McMillan	Teague, Calif.
Diggs	McSween	Thompson, N.J.
Dominick	McVey	Tollefson
Dooley	MacGregor	Tupper
Evins	Magnuson	Ullman
Farbstein	Martin, Nebr.	Utt
Feighan	Mason	Van Pelt
Finnegan	Michel	Vinson
Fogarty	Miller, Clem	Watts
Frazier	Miller,	Weis
Farland	George P.	Whalley
Goodell	Moore	Whitten
Goodling	Moorehead,	Wickersham
Gray	Ohio	Willis
Gubser	Mosher	Winstead
Hall	O'Brien, Ill.	Yates
Hansen	Passman	Zelenko

The SPEAKER. On this rollcall 311 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING SECTION 309, FOOD AND AGRICULTURE ACT OF 1962

Mr. COOLEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill H.R. 13241?

The question was taken and on a division (demanded by Mr. DOLE) there were—ayes 180, noes 57.

Mr. DOLE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were—yeas 255, nays 60, not voting 120, as follows:

[Roll No. 260]

YEAS—255

Abbitt	Gallagher	Monagan
Abernethy	Gary	Montoya
Adair	Gathings	Moorhead, Pa.
Addabbo	Gavin	Morgan
Albert	Glaimo	Morris
Alford	Gilbert	Morrison
Andersen,	Gonzalez	Moss
Minn.	Granahan	Moulder
Anderson, Ill.	Grant	Multer
Andrews	Green, Oreg.	Murphy
Ashbrook	Green, Pa.	Murray
Ashley	Griffin	Natcher
Ashmore	Griffiths	Nedzi
Bailey	Hagan, Ga.	Nix
Bass, Tenn.	Hagen, Calif.	Norblad
Beckworth	Haley	Norrell
Bennett, Fla.	Halleck	O'Brien, N.Y.
Blatnik	Halpern	O'Hara, Ill.
Boland	Harding	O'Hara, Mich.
Bonner	Hardy	O'Konski
Bow	Harrison, Va.	O'Neill
Brademas	Harsha	Ostertag
Bray	Harvey, Mich.	Passman
Brewster	Hays	Patman
Brooks, Tex.	Healey	Perkins
Brown	Hechler	Peterson
Bruce	Hemphill	Pfost
Buckley	Henderson	Philbin
Burke, Mass.	Herlong	Pike
Burleson	Hollifield	Pilcher
Byrne, Pa.	Holland	Pillion
Cannon	Huddleston	Pirnie
Casey	Jarman	Poage
Cederberg	Jennings	Poff
Chamberlain	Joelson	Powell
Chelf	Johansen	Price
Church	Johnson, Md.	Purcell
Clark	Jonas	Randall
Cohelan	Jones, Ala.	Reece
Colmer	Jones, Mo.	Reuss
Cook	Judd	Rhodes, Pa.
Cooley	Karsten	Riehlman
Corbett	Karth	Rivers, Alaska
Corman	Kastenmeier	Rivers, S.C.
Cramer	Kelly	Roberts, Ala.
Cunningham	Keogh	Roberts, Tex.
Dague	Kilgore	Robison
Daniels	King, Calif.	Rodino
Davis,	King, N.Y.	Rogers, Colo.
James C.	King, Utah	Rogers, Fla.
Davis, John W.	Kluczynski	Rooney
Davis, Tenn.	Knox	Roosevelt
Dawson	Kornegay	Rosenthal
Delaney	Kunkel	Rostenkowski
Dent	Landrum	Roudebush
Denton	Lane	Roush
Derwinski	Lankford	Rutherford
Devine	Lennon	Ryan, Mich.
Dingell	Lesinski	Ryan, N.Y.
Donohue	Libonati	St. Germain
Dorn	Lindsay	Santangelo
Dowdy	Loser	Schenck
Downing	McCulloch	Schneebeli
Doyle	McFall	Schweiker
Dulski	McMillan	Scott
Edmondson	Macdonald	Selden
Elliott	Mack	Sisk
Everett	Madden	Slack
Fascell	Mahon	Smith, Iowa
Fenton	Marshall	Smith, Va.
Findley	Mathias	Staggers
Fisher	Matthews	Stephens
Flood	May	Stratton
Flynt	Meador	Stubblefield
Ford	Mcrow	Sullivan
Forrester	Miller, N.Y.	Teague, Tex.
Fountain	Milliken	Thomas
Friedel	Mills	Thompson, La.
Fulton	Moeller	Thompson, Tex.

Thomson, Wis.	Van Zandt	Widnall
Thornberry	Waggoner	Williams
Toll	Walter	Wilson, Ind.
Trimble	Weaver	Wright
Tuck	Westland	Young
Udall, Morris K.	Wharton	Zablocki
Vanik	Whitener	

NAYS—60

Alger	Curtis, Mo.	Minshall
Avery	Derounlan	Morse
Ayres	Dole	Nelsen
Baldwin	Durno	Nygaard
Baring	Dwyer	Olsen
Bates	Ellsworth	Osmers
Battin	Fino	Pelly
Becker	Glenn	Quile
Beermann	Gross	Ray
Bolton	Gubser	Rhodes, Ariz.
Breeding	Harrison, Wyo.	St. George
Bromwell	Hoeven	Schwengel
Broomfield	Horan	Shriver
Broyhill	Hosmer	Sibal
Byrnes, Wis.	Jensen	Smith, Calif.
Cahill	Johnson, Calif.	Stafford
Chenoweth	Langen	Teague, Calif.
Clancy	Lipscomb	Wallhauser
Collier	Maillard	Wilson, Calif.
Conte	Martin, Mass.	Younger

NOT VOTING—120

Alexander	Gray	Pucinski
Anfuso	Hall	Rains
Arends	Hansen	Reifer
Aspinall	Harris	Riley
Auchincloss	Harvey, Ind.	Rogers, Tex.
Baker	Hébert	Rousselot
Barrett	Hiestand	Saund
Barry	Hoffman, Ill.	Saylor
Bass, N.H.	Hoffman, Mich.	Schadeberg
Belcher	Hull	Scherer
Bell	Ichord, Mo.	Scranton
Bennett, Mich.	Inouye	Seely-Brown
Berry	Johnson, Wis.	Shelley
Betts	Kearns	Sheppard
Bltch	Kee	Shipley
Boggs	Keith	Short
Bolling	Kilburn	Sikes
Boykin	Kirwan	Siler
Burke, Ky.	Kitchin	Smith, Miss.
Carey	Kowalski	Spence
Celler	Kyl	Springer
Chlperfield	Laird	Steed
Coad	Latta	Taber
Curtin	McDonough	Taylor
Curtis, Mass.	McDowell	Thompson, N.J.
Daddario	McIntire	Tollefson
Diggs	McSweeney	Tupper
Dominick	McVey	Ullman
Dooley	MacGregor	Utt
Evins	Magnuson	Van Pelt
Fallon	Martin, Nebr.	Vinson
Farbsteln	Mason	Watts
Felghan	Michel	Weis
Finnegan	Miller, Clem	Whalley
Fogarty	Miller,	Whitten
Frazier	George P.	Wickersham
Frelinghuysen	Moore	Willis
Garland	Moorhead,	Winstead
Garmatz	Ohio	Yates
Goodell	Mosher	Zelenko
Goodling	O'Brien, Ill.	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert and Mr. Hull for, with Mr. Short against.

Mr. Harvey of Indiana and Mr. Betts for, with Mr. Reifer against.

Mr. Latta and Mr. Goodling for, with Mr. Laird against.

Mr. Alexander and Mr. Rogers of Texas for, with Mr. Kearns against.

Mr. Scranton and Mr. Kilburn for, with Mr. Belcher against.

Mr. Curtin of Pennsylvania and Mr. Baker for, with Mr. McVey against.

Mr. Shipley and Mr. Gray for, with Mr. Martin of Nebraska against.

Mr. Garmatz and Mr. Fallon for, with Mr. Berry of South Dakota against.

Mr. Kitchin and Mr. Boggs for, with Mr. Tollefson against.

Mr. Burke of Kentucky and Mr. Rains for, with Mr. Schadeberg against.

Mr. George P. Miller and Mr. Johnson of Wisconsin for, with Mr. Kyl against.

Mr. Sikes and Mr. Willis for, with Mr. Curtis of Massachusetts against.

Mr. Daddario and Mr. Fogarty for, with Mr. Barry against.

Mr. Aspinall and Mr. MacGregor for, with Mr. Keith against.

Until further notice:

Mr. Taylor with Mr. Van Pelt.

Mr. Inouye with Mr. Siler.

Mr. Kirwan with Mr. Moorehead of Ohio.

Mr. Thompson of New Jersey with Mr. Hoffman of Illinois.

Mr. Ichord with Mr. Goodell.

Mr. Kowalski with Mr. Auchincloss.

Mr. Watts with Mr. Bell.

Mr. Ullman with Mr. Dooley.

Mr. Vinson with Mr. Utt.

Mr. Anfuso with Mr. Tupper.

Mr. Farbsteln with Mr. McIntire.

Mr. Carey with Mr. Heistand.

Mr. Celler with Mr. Frelinghuysen.

Mr. Feighan with Mr. Springer.

Mr. Pucinski with Mr. Michel.

Mr. O'Brien of Illinois with Mr. Rousselot.

Mr. Flinnegan with Mr. Hall.

Mrs. Riley with Mr. Saylor.

Mr. Frazier with Mr. Mason.

Mrs. Hansen with Mr. Chipperfield.

Mr. Harris with Mr. Bass of New Hampshire.

Mr. Shelley with Mrs. Weis.

Mr. Sheppard with Mr. Mosher.

Mr. Clem Miller with Mr. Hoffman of Michigan.

Mr. McSweeney with Mr. Moore.

Mrs. Kee with Mr. Scherer.

Mr. Macdonald with Mr. Taber.

Mr. Whitten with Mr. Dominick.

Mr. Winstead with Mr. Garland.

Mr. Zelenko with Mr. Bennett of Michigan.

Mr. Yates with Mr. Seely-Brown.

Mr. Evins with Mr. McDonough.

Mr. HALEY, Mr. MILLER of New York, and Mr. LINDSAY changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE AGRICULTURE ACT OF 1962—A DESCRIPTIVE SUMMARY

(Mr. COOLEY asked and was given permission to extend his remarks at this point in the RECORD and include extraneous matter.)

Mr. COOLEY. Mr. Speaker, the Department of Agriculture has published a descriptive summary of the Agriculture Act of 1962, Public Law 87-703. With the permission of the House, I am inserting this summary in the RECORD, in the thought that it will be useful to the Members as a concise and ready reference. The summary follows:

THE AGRICULTURE ACT OF 1962—A DESCRIPTIVE SUMMARY

The act (Public Law 87-703) consists of four main titles, each of which is directed to improving and updating Federal programs in a broad area of action.

Title I provides new authority and resources for putting land to optimum economic and social uses. It gives added depth and breadth to the nationwide rural areas development program, offers alternatives to the use of land for surplus crop production, opens the way for an expansion of outdoor recreational facilities on locally owned lands, and gives new impetus to the conservation of land and water resources, flood prevention, development of local water supply, and similar measures for realigning and improving land use.

Title II provides new authorities for pro-

gram activities calculated to promote the consumption of agricultural commodities abroad through amendments to the food-for-peace legislation.

Title III provides the Secretary of Agriculture with new authority to work with farmers to bring agricultural production in line with domestic and export needs, improve and stabilize farm income, reduce surplus stocks, and to reduce the costs of farm programs. The 1963 wheat program calls for voluntary diversion of land from production and is similar to the 1962 program. A new wheat program for 1964 will serve to manage supplies if it is approved by two-thirds of the growers in a referendum. The current feed grain program will be continued, with some changes, in 1963. Starting next year, wheat and feed grain producers who participate in the programs will receive payment in kind of 18 cents a bushel. They also will receive payments for diverting land from these crops.

Title IV authorizes the Department to make loans for recreational development and facilities to individual farmers and to associations serving farmers and other rural people. Among other provisions, the law authorizes that the total amount of real estate loans that may be made out of the insurance fund and held on hand at any one time is increased from \$10 to \$25 million.

TITLE I, NEW TOOLS FOR LAND-USE ADJUSTMENT AND RURAL AREAS DEVELOPMENT

Valuable new resources for putting land to uses desired by the people—not the production of surplus crops—are authorized in title I of the Food and Agriculture Act of 1962. These same resources will give new strength to the nationwide rural areas development program.

A tremendous expansion of outdoor recreational facilities for all Americans will result from the new authorities in title I when coupled with credit authority in title IV for "income-producing recreational enterprises" and the already going programs of the U.S. Department of Agriculture.

Recreational development on locally owned land (none of it will be bought by the Federal Government) will be an important part of long-range programs to put unneeded cropland into other paying uses. Grass lands and forest lands will be expanded. So will flood prevention and development of water supply for rural and urban use and for water-based recreation. New impetus will be given to production of fish and wildlife on farm and ranch land.

Under provisions of title I and other authorities, the Department of Agriculture is prepared to launch with local agencies and organizations: Rural renewal projects, resource conservation, and development projects and watershed recreational development.

Additional emphasis will be given to getting cropland into grass and trees to reduce crop production, increase forage and timber production, and improve food and cover for wildlife. These changes also will reduce erosion and silting of streams and water supply reservoirs.

These and other programs will aid in bringing agricultural production into balance with needs. The Department has estimated that in 1980, all domestic and greatly expanded export needs for farm products can be produced on 50 million fewer acres than were available for crops in 1959.

The new programs also mesh with aid already being received by local rural people under the Area Redevelopment Act and Accelerated Public Works Act in cooperation with the Department of Commerce and USDA.

New land-use adjustment program authorized in section 101

Many individual farmers under this section will be eligible for additional help un-

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued Oct. 3, 1962
For actions of Oct. 2, 1962
87th-2d, No. 179

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HIGHLIGHTS: House received conference report on agricultural appropriation bill. House received conference report on foreign trade bill. Both Houses agreed to conference report on tax bill. Conferees agreed to file report on pay bill. Senate passed bills to: Amend Food and Agriculture Act re 15-acre wheat exemption for 1963 crop; Increase limitation on FHA loans. Both Houses received and Senate agreed to conference report on school lunch fund apportionment bill. Senate passed foreign aid appropriation bill. Senate committee reported bill for holding World Food Congress.

HOUSE

1. AGRICULTURAL APPROPRIATION BILL, 1963. Received the further conference report on amendments in disagreement on this bill, H. R. 12648 (H. Rept. 2514). All amendments previously reported in disagreement were still reported in disagreement (pp. 20596, 20650). Attached to this Digest is a copy of the conference committee report.
2. APPROPRIATIONS. Conferees were appointed on H. R. 12900, the public works appropriation bill. Senate conferees have already been appointed. p. 20568
The Appropriations Committee was granted permission to file conference reports at any time. p. 20568

3. PUBLIC WORKS. The Rules Committee reported a resolution for the consideration of H. R. 13273, the public works authorization bill. p. 20650
4. PERSONNEL. The "Daily Digest" states that "Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H. R. 7927, providing for postal rate increases and increases in Federal employees' salaries." p. D929
The Post Office and Civil Service Committee reported with amendment H. R. 9531, to amend the law relating to pay for postal employees (H. Rept. 2509). p. 20650
Concurred in the Senate amendment to the House amendment to S. 2697, to amend title 38, U.S.C., to provide an extension of the period within which certain educational programs must be begun and completed in the case of persons called to active duty during the Berlin crisis. This bill will now be sent to the President. p. 20569
Received from Treasury a report of the operations by Federal departments and establishments in connection with the bonding of officers and employees. p. 20650.
5. WATERSHEDS. The Agriculture Committee approved the work plans for the following watersheds: Anasco River, P. R.; Bayou Folse, La.; Bee Creek, Kan.; Big Indian Creek, Neb.; Big Muddy Creek, Ky.; Big Wyacondah, Iowa; Crooked Bayou, Ark.; Duncan Creek, S. C.; Hardin Creek, Tenn.; Kaercher Creek, Penn.; Lattas Creek, Ind.; Line Creek, Tenn.; Lower Forest River, N. Dak.; Middle Caney, Kan.; Neshobe River, Vt.; Saltlick Creek, W. Va.; Stucker Fork, Ind.; Upper Bogue Phalia, Miss.; Upper Quaboag River, Mass.; West Fork of Pine River, Ky.; and Silver Creek, Kan. p. 20571
6. TAXATION. Both Houses agreed to the conference report on H. R. 10650, the proposed Revenue Act of 1962. This bill now be sent to the President. See Digest No. 150 for items of interest. pp. 20547-65, 20580-92
7. FOREIGN TRADE. Received the conference report on H. R. 11970, the proposed Trade Expansion Act of 1962 (H. Rept. 2518). pp. 20597-601, 20650
The Ways and Means Committee reported with amendment H. R. 12109, to amend the Tariff Act of 1930 to permit certain natural grasses and other natural materials to be imported free of duty (H. Rept. 2516). p. 20650
8. DRUGS. The "Daily Digest" states that "Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of S. 1552, proposed Drug Industry Antitrust Act." p. D929
9. LEGISLATIVE PROGRAM. Rep. Albert announced that the following bills will be considered on Wed.: H. R. 13290, the supplemental appropriation bill; H. R. 13273, the public works authorization bill; S. 1123, to extend certain child labor provisions of the Fair Labor Standards Act to children employed in agriculture; and the conference report on H. R. 11665, the school lunch fund apportionment bill. He further announced that the conference report on the proposed Trade Expansion Act of 1962 will be considered on Thurs. p. 20616

SENATE

10. WHEAT. Passed without amendment H. R. 13241, to amend Sec. 309 of the Food and Agriculture Act of 1962 so as to provide that a farm marketing quota on the 1963 crop of wheat shall be applicable to any farm on which acreage of wheat planted exceeds the smaller of 15 acres or the highest number of acres planted to wheat on the farm in calendar years 1959, 1960, 1961, or 1963, (instead of 1959, 1960, or 1961). This bill will now be sent to the President. p. 20492

The bill (S. 3760) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 201 of the National Defense Education Act of 1958 is amended by striking out "each for the fiscal year ending June 30, 1962, and for the two succeeding fiscal years" and inserting in lieu thereof "for the fiscal year ending June 30, 1962, \$125,000,000 each for the fiscal year ending June 30, 1963, and the succeeding fiscal year".

(b) Section 203(b) of such Act is amended by striking out "\$250,000" and inserting in lieu thereof "\$500,000".

Sec. 2. Section 302(a)(4) of such Act is amended to read as follows:

"(4) The amount of any State's allotment under this subsection for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the part of the State plan (if any) approved under this part for which such allotment is available shall be available for reallocation from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under this subsection, but with such adjustments as may be necessary to prevent reallocation to any State of any sum in excess of the amount which the Commissioner estimates it needs and will be able to use for such year for carrying out the part of the State plan for which the amount reallocated would be available. Any amount reallocated to a State under this paragraph during the year from funds appropriated pursuant to the first sentence of section 301 shall be deemed part of its allotment under this subsection for such year."

SEC. 3. Section 303(a)(1) of such Act is amended by striking out "suitable" and inserting in lieu thereof the following: "and of test-grading equipment, equipment for use by teachers or students in public elementary or secondary schools for producing or reproducing audiovisual materials for instructional purposes, and specialized equipment for audiovisual libraries or centers serving such schools,".

EXTENSION TO OYSTER PLANTERS OF BENEFITS OF DISASTER LOANS FOR FARMERS AND STOCKMEN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2181, House bill 946.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H.R. 946) to extend to oyster planters the benefits of the provisions of the present law which provide for production disaster loans for farmers and stockmen was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 2219—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on Agriculture and Forestry, to whom was referred to bill (H.R. 946) to extend to oyster planters the benefits of the provisions of the present law which provide for production disaster loans for farmers and stockmen, having considered

the same, report thereon with a recommendation that it do pass without amendment.

This bill would authorize disaster loans to oyster planters under subtitle C of the Consolidated Farmers Home Administration Act of 1961. Hearings were held by the subcommittee in charge of this legislation and have been printed. There was no opposition to the bill.

At the hearing several witnesses proposed an amendment to include shrimp fishermen. The committee considered this amendment carefully, but felt that the inclusion of fishermen who move from place to place in their operations and whose operations have none of the incidents of farming should not be included in a farm loan bill. As pointed out in the attached report of the House Committee on Agriculture, oystermen generally are not covered by the bill, but only oyster planters. Oyster planters plant, cultivate, and harvest their crops like other farmers and have been treated as farmers in other farm loan legislation.

The report * * * of the House Committee on Agriculture * * * further explains the bill and the need for its enactment:

"[H. Rept. No. 1502, 87th Cong., 2d sess.]

"The Committee on Agriculture, to whom was referred the bill (H.R. 946) to extend oyster planters the benefits of the provisions of the present law which provide for production disaster loans for farmers and stockmen, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

"The amendments are as follows:

"Strike out all after the enacting clause and insert:

"That subsection (v) of section 321 of the Consolidated Farmers Home Administration Act of 1961 is amended by striking out "farmers or ranchers" and inserting "farmers, ranchers, or oyster planters" and by striking out "farming or ranching" and inserting "farming, ranching, or oyster planting".

"PURPOSE

"The bill would amend the emergency loan provisions of the Consolidated Farmers Home Administration Act of 1961 to make it clear that oyster planters are included among the eligible recipients of such loans.

"Emergency loans as authorized by this act may be made by the Farmers Home Administration only in so-called disaster areas which have been designated by the Secretary of Agriculture as the result of a finding (1) that there exists in such area a general need for agricultural credit which cannot be met for temporary periods of time by private, cooperative, or other responsible sources (including loans under regular FHA real estate or production loan authorities) at reasonable rates and terms for loans for similar purposes and periods of time, and (2) that the need for such credit in such area is the result of a natural disaster.

"Such loans may be made for any of the purposes for which regular FHA real estate or production loans may be made but only in the event of the three conditions noted above (1) that there has been a natural disaster in the area, (2) that agricultural credit is not available from any other responsible source, and (3) that the area has been designated as a disaster area by the Secretary of Agriculture. Inclusion of oyster planters in this disaster loan program would not make them eligible for regular FHA loans.

"NEED FOR THE LEGISLATION

"The immediate need for the legislation is, of course, the disaster which has struck the oyster-producing area of the Atlantic coast as the result of the recent destructive storm. This storm washed over the outer sand barriers and into the bays and inlets where oysters are produced. It covered many

of the beds with sand, killing the oysters therein, and otherwise caused serious damage, if not complete destruction, of many of the oysterbeds. This will require rehabilitation of the beds, in some instances the establishment of a new rock bottom on which the oysters may grow, and certainly the replanting of the beds to new oysters.

"Oystermen are distinguished from other producers of seafoods in at least two respects: (1) Oysters do not travel from place to place but remain fixed at one locality after a very early stage of their development; and (2) most oysters are grown on legally designated plots of land beneath the surface of bays and salt water inlets which are marked by fixed boundaries and which either belong to the oyster planter or are leased from some State or other agency for the purpose of oyster production. In addition, oysters are planted, cultivated, and harvested much as any other agricultural crop and are ordinarily produced on land which has been specially prepared for that purpose.

"In this connection, it will be noted that the committee has used the words "oyster planters" rather than "oystermen" to distinguish the operation described above from that of searching for oysters in the open sea and harvesting them from wild beds.

"The concept that oyster planters might be considered farmers under the provisions of the agricultural loan programs is not a new one. By the act of June 18, 1934 (12 U.S.C. 1131g-2) Congress authorized production credit associations, operating under the Farm Credit Administration, to make loans to oyster planters. The authority for FHA emergency loans contained in this bill does not duplicate this authority, since the emergency loan provisions of the act provide that such loans may not be made to any farmers (including oyster planters) if credit is available from other sources, including production credit associations.

"COST

"Since the total amount of loans by the Farmers Home Administration is authorized from year to year by the Congress and since the emergency loans to oyster planters which might be made pursuant to the authority of this bill would come within that total authorization, there would not be any additional cost to the Government as the result of the enactment of this bill.

"COMMITTEE AMENDMENT

"H.R. 946 was introduced on January 3, 1961, before the enactment in the Agricultural Act of 1961 of the Consolidated Farmers Home Administration Act of 1961. This act consolidated the many laws relating to FHA loan operation into one statute and repealed a number of previous statutes relating to specific parts of the loan program, including the act of April 6, 1949, which H.R. 946 would have amended. The committee amendment, therefore, merely applies the purpose of H.R. 946 to the law as it exists today."

AMENDMENT OF CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2182, House bill 12653.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H.R. 12653) to amend the Consolidated Farmers Home Administration Act of 1961 in order to increase the limitation on the amount of loans which may be

insured under subtitle A of such act was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 2220—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill is to increase from \$150 million annually to \$200 million annually the amount of loans which may be insured under the Consolidated Farmers Home Administration Act of 1961.

NEED FOR THE LEGISLATION

A substantial part of the FHA loan program for farmers is carried out by insuring loans made by private credit agencies which meet the standards and requirements of the Farmers Home Administration, rather than by the direct use of Federal funds. The current authorization for such loans, enacted as part of the Agricultural Act of 1961, limits the amount of insured loans in any fiscal year to \$150 million. The demand for insured loans was so great during the last previous fiscal year that the \$150 million annual insurance authorization was exhausted on May 11, 1962. This bill will permit FHA to meet this demand for agricultural credit at least for the current fiscal year by increasing the authorization for insured loans to \$200 million.

COMMITTEE AMENDMENT

The bill as introduced would have authorized an increase in the amount of insured loans to \$300 million. The Secretary of Agriculture in reporting favorably on the bill recommended that this be reduced to \$200 million and the committee has followed this recommendation.

COST

There will be no appreciable increase in administrative cost as the result of this legislation and, on the contrary, it will permit a substantial increase in FHA loans to farmers with the use of private funds rather than Federal funds.

AMENDMENT OF RURAL ELECTRIFICATION ACT OF 1936

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2183, House bill 10708.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 10708) to amend section 203 of the Rural Electrification Act of 1936, as amended, with respect to communication service for the transmission of voice, sounds, signals, pictures, writing, or signs of all kinds through the use of electricity, which had been reported from the Committee on Agriculture and Forestry, with an amendment on page 2, line 4, after the word "mean", to strike out "telegraph services or facilities, or community antenna television system services or facilities such service and facilities shall be limited to closed circuit television operations other than those intended" and insert "message telegram service or community antenna television system services or facilities other than those intended exclusively".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LEASE AND TRANSFER OF TOBACCO ACREAGE ALLOTMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2184, House bill 12855.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H.R. 12855) to amend the Agricultural Adjustment Act of 1938 relating to the lease and transfer of tobacco acreage allotments was considered, ordered to a third reading, was read the third time, and passed.

POLE MOUNTAIN DISTRICT

Mr. MANSFIELD. Mr. President, I ask that the Senate now proceed to consider Calendar No. 2185, Senate bill 3370.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 3370) to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain district, which had been reported from the Committee on Agriculture and Forestry, with an amendment on page 1, line 3, after the word "authorized", to strike out "and directed to relinquish to the State of Wyoming all" and insert "to relinquish to the State of Wyoming such measure as he may deem desirable of legislative"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Agriculture is authorized to relinquish to the State of Wyoming such measure as he may deem desirable of legislative jurisdiction heretofore acquired by the United States over lands within the Medicine Bow National Forest constituting the area known as the Pole Mountain District, created by Executive Order Numbered 4245, dated June 5, 1925, as amended by public land order numbered 1897, dated July 10, 1959.

(b) Relinquishment of jurisdiction under the authority of this Act may be made by filing with the Governor of the State of Wyoming a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Wyoming in such manner as the laws of such State may prescribe.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FOOD AND AGRICULTURE ACT OF 1962

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2186, Senate bill 3756.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3756) to amend section 309 of the Food and Agriculture Act of 1962.

Mr. MANSFIELD. Instead, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 13241, to amend section 309 of the Food and Agriculture Act of 1962. This bill was received only today from the House of Representatives; and, first, I ask that the bill be read twice.

The PRESIDING OFFICER. Without objection, it is so ordered; and the Senate will now proceed to the consideration of House bill 13241, to amend section 309 of the Food and Agriculture Act of 1962.

The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 13241) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3756 will be indefinitely postponed.

Mr. MANSFIELD. Those are all the measures on the calendar which I wish to ask the Senate to consider at this time.

CONSERVATION NEWS CITES NATIONAL WILDLIFE FEDERATION'S BASIC PURPOSE OF ESTABLISHING AND MAINTAINING NATIONAL PARKS

Mr. YARBOROUGH. Mr. President—

Mr. HUMPHREY. Mr. President, how much time does the Senator from Texas wish?

Mr. YARBOROUGH. One minute.

Mr. HUMPHREY. I yield 1 minute to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, the Conservation News, a publication of the National Wildlife Federation, recently published a series of excellent articles dealing with the purpose and some of the problems of national parks.

Since this 87th Congress has established a record by legislation authorizing three national seashore recreational areas, opening up vast new areas to permanent public use, this article in the Conservation News will, I am sure, be of interest to my colleagues.

The three national seashore recreational areas established by this Congress are Point Reyes in California, Cape Cod in Massachusetts, and Padre Island, off the Texas Gulf Coast. The most recent of these to be approved was my bill for a national seashore recreational area on 80.5 miles of Padre Island.

Because of the interest in national parks and the concern of this 87th Congress over the need for preserving recreational areas for this and future generations and because of the difference in national parks, national seashore recreational areas, and national military parks, I ask unanimous consent to have printed in the RECORD an article, captioned "National Parks—A National Issue" from the October 1, 1962, edition of Conservation News.

87TH CONGRESS
2^D SESSION

H. R. 13241

IN THE SENATE OF THE UNITED STATES

OCTOBER 2 (legislative day, OCTOBER 1), 1962

Received; read twice, considered, read the third time, and passed

AN ACT

To amend section 309 of the Food and Agriculture Act of
1962.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That item (7) of Public Law 74, Seventy-seventh Congress
4 (7 U.S.C. 1340 (7)), as amended by section 309 of the
5 Food and Agriculture Act of 1962, is amended by changing
6 the period at the end thereof to a comma and adding “or
7 1963.”

Passed the House of Representatives October 1, 1962.

Attest:

RALPH R. ROBERTS,

Clerk.

87TH CONGRESS
2^D SESSION
H. R. 13241

AN ACT

To amend section 309 of the Food and Agriculture Act of 1962.

OCTOBER 2 (legislative day, OCTOBER 1), 1962
Received; read twice, considered, read the third time,
and passed



Public Law 87-801
87th Congress, H. R. 13241
October 11, 1962

An Act

76 STAT. 909.

To amend section 309 of the Food and Agriculture Act of 1962.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That item (7) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(7)), as amended by section 309 of the Food and Agriculture Act of 1962, is amended by changing the period at the end thereof to a comma and adding "or 1963."

Food and Agri-
culture Act of
1962, amend-
ment.
75 Stat. 297;
Ante, p. 618.

Approved October 11, 1962.

